

AGENDA ITEM NO.

COUNCIL MEETING 2-27-07APPROVED BYDEPARTMENT DIRECTORCITY MANAGER

February 27, 2007

FROM: JON R. RUIZ, Interim Director
Public Works Department

BY: SCOTT L. MOZIER, PE, Assistant Public Works Director
Public Works Department

SUBJECT: APPROVE THE ACQUISITION OF FEE SIMPLE PROPERTY AND USE OF A
CONSTRUCTION EASEMENT TO CONSTRUCT THE CHERRY AVENUE
SEWER LIFT STATION ON THE WEST SIDE OF CHERRY AVENUE BETWEEN
NORTH AVENUE AND CENTRAL AVENUE, IN THE UNINCORPORATED AREA
OF FRESNO COUNTY

KEY RESULT AREA

Customer Satisfaction

RECOMMENDATIONS

1. Staff recommends that the City Council approve the acquisition of a 10,560 square foot fee simple property and the use of a 6,600 temporary construction easement from 15.46 acres of property owned by Janice E. Pearson, Robert S. Larsen, Jr. and Alyce Demirjian.
2. Authorize the Public Works Director to accept the Grant Deed from property owned by Janice E. Pearson, Robert S. Larsen, Jr. and Alyce Demirjian and to execute the Agreement for Purchase and Sale of Real Property and complete the acquisition through escrow.

EXECUTIVE SUMMARY

The acquisition of the 10,560 square foot fee simple property and the use of a 6,600 temporary construction easement will provide the land necessary to build the Cherry Avenue Sewer Lift Station, which is part of the Central American Trunk Sewer Project. It is expected that 100 percent of the cost of the project will come from the Wastewater Capital Improvement program. The values of the fee simple property and temporary construction easement were established by an independent, professional real estate appraiser and negotiations to acquire the easements were initiated on October 20, 2004.

The value of the land is \$12,121; the value of the temporary construction easement is \$379 for a total valuation of \$12,500. The owners of this parcel have agreed to the amount of compensation offered by the City and signed the Grant Deed for the area depicted on Exhibit A and Temporary Construction Easement shown on Exhibit B. With City Council approval, payment will be made to the owners and the Grant Deed will be recorded.

KEY OBJECTIVE BALANCE

The Key Objective of Customer Satisfaction will be accomplished by providing sewer service to an area that is part of the City of Fresno's sphere of influence which does not currently have sewer service, the existing and proposed business and residential owners are required to provide on-site sewer treatment. The sewer main improvements will help protect the groundwater quality by providing sewer mains to remove biosolids and other materials to the Regional Wastewater Treatment Facility. Financial Management will be realized by the acquisition of the property at a funding level that is based on the appraised value of the property.

BACKGROUND

The 2025 General Plan for the area surrounding the proposed project is planned for heavy industrial land uses. The proposed project will implement the General Plan by providing City sewer service. The Planning and Development staff has evaluated the proposed project in accordance with the land use and environmental policies and provisions of the 2025 Fresno General Plan. Phase I Environmental Assessment and Mitigated Negative Declaration were completed on January 18, 2007. This project is also included with the Regional Jobs Initiative.

The partial fee simple property acquisition and the temporary construction easement were surveyed and marked so that the impact of the taking and easement could be established. The value of the land is \$12,121; the value of the temporary construction easement is \$379 for a total valuation of \$12,500. This agreement for Purchase and Sale of Real Property allows the possession as of April 15, 2007.

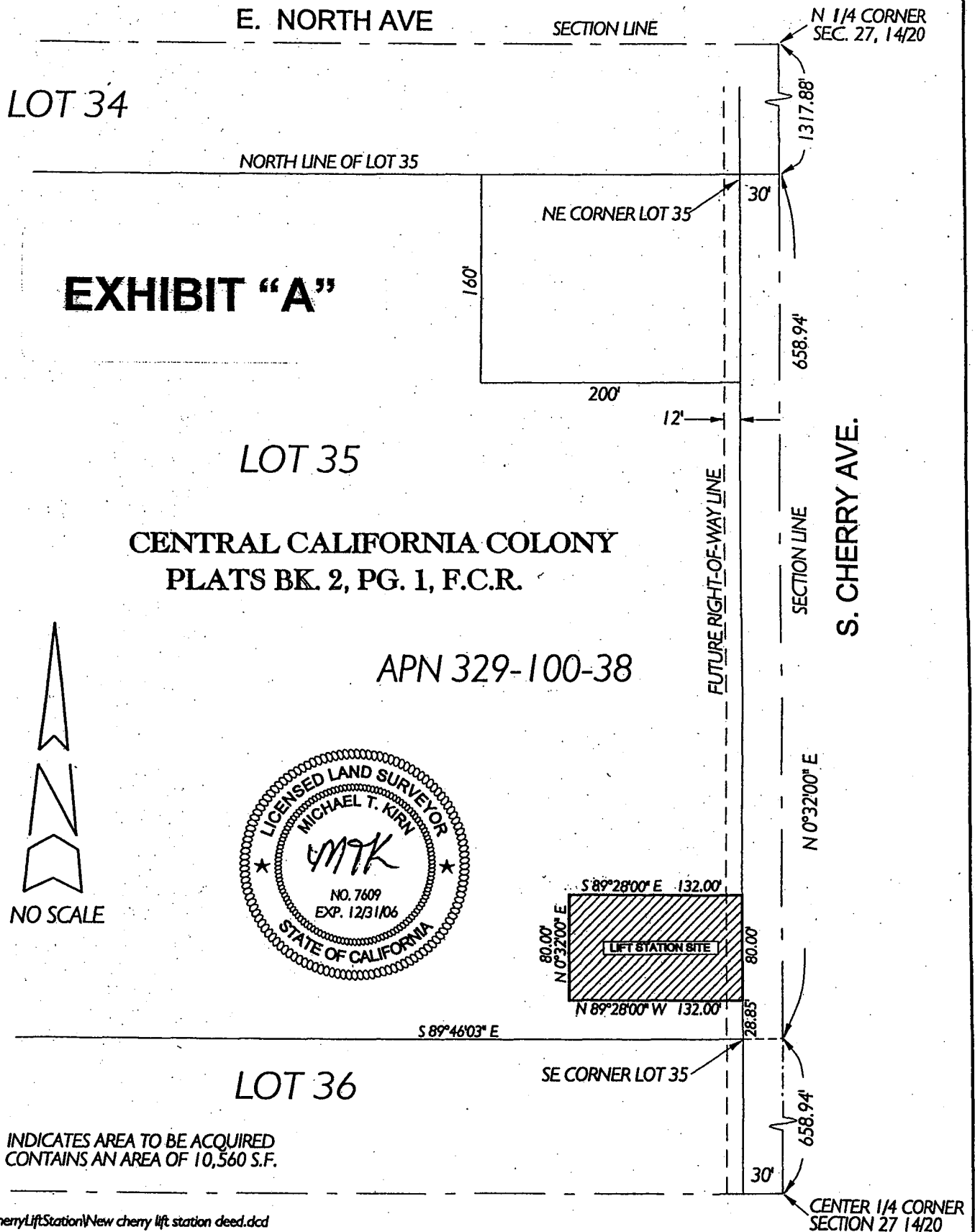
The documents signed by the property owner have been approved as to form by the City Attorney's office.

FISCAL IMPACT

Funds for this acquisition and the temporary construction easement for the Cherry Avenue Sewer Main project are funded by City of Fresno Project No. RC00042, Fund 40501, ORG 413501 and KRA 0103003000.

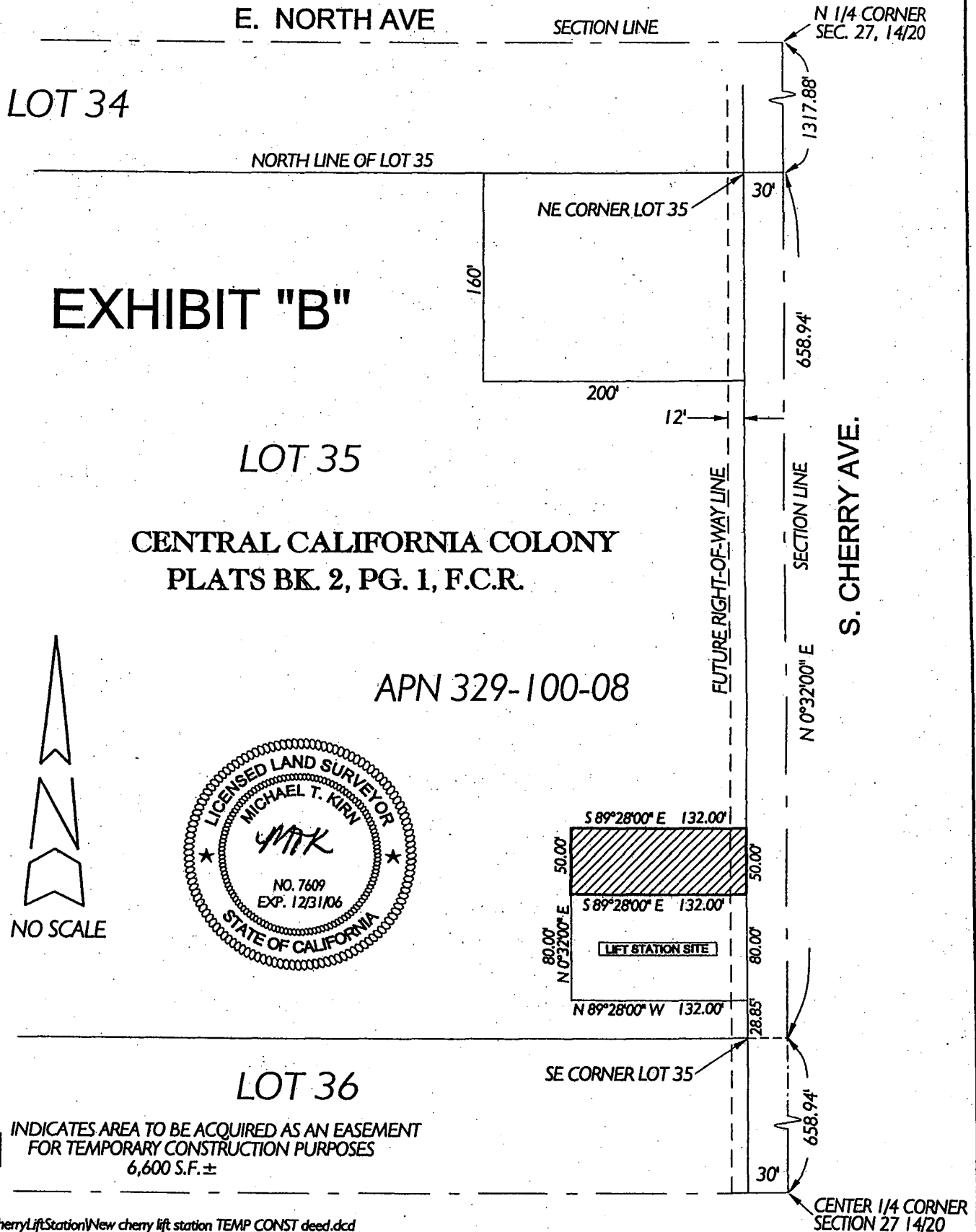
JRR/SLM/PC/eam
Cherry Avenue Sewer Lift Stn 2-27-07

Attachment: Exhibits "A" and "B"



X:\DATA\CherryLiftStation\New cherry lift station deed.dcd

<p>REF. & REV.</p> <p>2004-111A</p> <p>PW FILE NO. 10490</p> <p>PLAT NO. 3356</p>	<p>CITY OF FRESNO</p> <p>DEPARTMENT OF PUBLIC WORKS</p> <p>PARCEL TO BE ACQUIRED BY THE CITY OF FRESNO FOR SEWER LIFT STATION PURPOSES</p>	<p>PROJ. ID. <u>RC00042</u></p> <p>FUND NO. <u>40501</u></p> <p>ORG. NO. <u>413501</u></p> <p>DR. BY <u>DHC</u></p> <p>CH. BY <u>N</u></p> <p>DATE <u>MAR. 8, 2005</u></p> <p>SCALE <u>NO SCALE</u></p>	<p>SHEET NO. <u>1</u></p> <p>OF <u>1</u> SHEETS</p> <p>15-A-7714</p>
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D:\DATA\CherryLiftStation\New cherry lift station TEMP CONST deed.dcd

<p>REF. & REV. 2004-111B PW FILE NO. 10490 PLAT NO. 3356</p>	<p>CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS</p> <p>PARCEL TO BE ACQUIRED BY THE CITY OF FRESNO AS AN EASEMENT FOR TEMPORARY CONSTRUCTION PURPOSES</p>	<p>PROJ. ID. RC00042 FUND NO. 40501 ORG. NO. 413501</p> <p>DR. BY DHC CH. BY NJ DATE MAR. 8, 2005 SCALE NO SCALE</p>	<p>SHEET NO. 1 OF 1 SHEETS</p> <p>15-A-7714B</p>
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